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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,623	10/14/2003	Jeng-Jye Shau	SHAU-0201	5088

7590 06/28/2004

Bo-In Lin
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EXAMINER	
WILSON, SCOTT R	
ART UNIT	**PAPER NUMBER**
2826	

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/685,623	SHAU, JENG-JYE	
	Examiner	Art Unit	
	Scott R. Wilson	2826	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5-7,10,11,13,15-17 and 20* is/are rejected.

7)☒ Claim(s) *2,4,8,9,12,14,18 and 19* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: on page 2, line 5, "1A" and "1B" should read "1(a)" and "1(b)", respectively. On page 5, line 2, "358" should be "318".

Claims 6 and 16 are objected to because of the following informalities: "ploy" should be changed to "poly".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5-7, 10, 11, 13, 15-17 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsunoda. As to claim 1, Tsunoda, Figure 1, discloses an electronic device supported on a semiconductor substrate comprising a diffusion area (105) (col. 3, line 46) in said substrate and a polysilicon area (109) (col. 3, lines 57-58) comprising a polysilicon layer extending over said substrate for contacting said diffusion area, and a single contact (110) (col. 3, line 60) disposed on top of said substrate contacting both said polysilicon layer and said diffusion layer.

As to claim 3, since the contact layer (110) is itself metal, it is within the scope of a metal layer disposed on top of said single contact.

As to claim 5, Tsunoda, Figure 9, discloses an embodiment where the diffusion area comprises a source/drain of a transistor (col. 9, line 11).

As to claim 6, Tsunoda, Figure 1, discloses a poly-to-diffusion connection disposed on a substrate comprising a diffusion area (105) in said substrate and a polysilicon area (109) comprising a polysilicon layer extending over said substrate for contacting said diffusion area.

As to claim 7, Tsunoda, Figure 1, discloses a single contact (110) disposed on top of said substrate contacting both said polysilicon layer and said diffusion area.

As to claim 10, since the contact layer (110) is itself metal, it is within the scope of a metal layer disposed on top of said single contact.

As to claims 11, 13, 15-17 and 20, the device of Tsunoda would necessarily have to be formed in order to function, so that the method comprising the formation of the device is inherent in the device structure itself.

Allowable Subject Matter

Claims 2, 4, 8, 9, 12, 14, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Tsunoda is the best prior art, but does not disclose the polysilicon layer formed on top of a field oxide formed next to the diffusion area. Tsunoda also does not disclose the single contact filling an opening etched in an insulating layer formed over the diffusion area.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott R. Wilson whose telephone number is 571-272-1925. The examiner can normally be reached on M-F 8:30 - 4:30 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

srw
June 15, 2004

NATHAN J. FLYNN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800